IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL REV. APPL. NO.262 OF 2004.
IN
PETITION NO. E-324 OF 2000.

Mohammed Israfil Faslul
Rehman Haque. ..Applicant.

VERSUS.

Goshiya Mohammed Haque @
Jahinoor Mohammed Haque. ..Respondent.

...

Mr. Dayanad Aahierey for the applicant.

Mr. Nilesh M. Bhole h/f Smt. Aarti P. Bhide for the respondent.

CORAM: S. B. MHASE &
R. S. MOHITE, JJ.
(In Chamber at 2.45p.m.)

DATE : DECEMBER 22, 2004.

P.C.:-

1. Heard both sides.

2. This is an application by way of a preacipe moved for the purpose of amendment in the order dated 21.10.2004 to the extent to withdraw the statement made before this court to the effect that the revision petitioner has given talaq to the respondent - wife, which was recorded in the said order. Learned counsel submitted that inadvertently that statement was made and therefore he may be allowed to withdraw the said statement. We find

that as a result of the recall of the said statement from the said order, the main order which we have passed rejecting the revision application is not affected in any manner. The learned counsel for the respondent has also stated that the talaq has not been given and that statement is incorrect statement made by the learned counsel.

3. Therefore, we allow the learned counsel to withdraw the said statement "that the petitioner has given talaq to the respondent - wife." The order dated 21.10.2004 passed by us, is amended to that effect.

(R.S.MOHITE, J.) **(S.B.MHASE,J.)**